

### REMARKS

Reconsideration of the present application in view of the above amendments and the following remarks is respectfully requested. Claims 1, 2, 5-24 and 26-36 were pending, of which claims 14-24 and 26-36 were withdrawn from consideration. Claims 13-15 have been canceled without acquiescing to the rejections in the Action or prejudice to future prosecution in a related application. Accordingly, claims 1, 2, 5-12, 16-24 and 26-36 are pending. Claims 1, 5, 6 and 11 have been amended to eliminate non-elected subject matter and to correct certain informalities. No new matter has been added.

#### Election/Restriction

The pending claims stand rejected as encompassing non-elected subject matter. Applicants have amended claim 1 to define that X is nitrogen. Accordingly, Applicants submit that this ground of rejection has been overcome.

#### Claim Objections

Claims 1, 5 and 6 stand objected to as allegedly containing informalities. More specifically, it is asserted in the Action that the recitation of "general formula" is not specific.

To facilitate allowance and without acquiescing to the objection in the Action, Applicants have amended claims 1, 5 and 6 to replace "general formula" with "formula." Accordingly, Applicants submit that this objection has been overcome.

#### Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 2 and 5-13 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. More specifically, it is asserted in the Action that (1) the language "amino acid chain moiety, an amino acid side chain derivative, a linker, and a solid support" recited in claim 1 is indefinite; (2) the language "G is (XR<sub>7</sub>)<sub>n</sub>" in claim 5 lacks antecedent basis; (3) claim 11 depends on canceled claim 3; and (4) the language "a safe and effective amount of the compound" in claim 13 fails to narrow down the limitations of claim 12 on which it depends.

Applicants respectfully traverse the rejection related to the language “amino acid chain moiety, an amino acid side chain derivative, a linker, and a solid support” recited in claim 1. More specifically, Applicants submit that one of ordinary skill in the art, in view of the present application, would know what the phrases in the above-noted language mean. For example, the present application defines the term “amino acid side chain moiety” as any amino acid side chain moiety present in naturally occurring proteins (*see*, page 17, lines 1-4 of the present application). Examples of such amino acid side chain moiety include those in Table 1 on pages 17 and 18, the side chain moieties of 3,5-dibromotyrosine, 3,5-diiodotyrosine, hydroxylysine,  $\gamma$ -carboxyglutamate, phosphotyrosine, and phosphoserine, and glycosylated amino acid side chains such as glycosylated threonine, serine and asparagines (*see*, page 17, lines 4-10). As to the term “amino acid side chain derivative,” the present application provides that such a term includes modifications and/or variations to naturally occurring amino acid side chain moieties (*see*, page 18, lines 11-13). Examples of amino acid side chain derivatives are provided on page 18, line 13 to page 19, line 12. Regarding the term “linker,” the present application provides that such a term refers to a group that facilitates the linkage of the compound with formula (I) to another moiety or compound (*see*, page 19, lines 17-20). Examples of such linkers are provided on page 19, lines 21-27. With respect to the term “solid support,” Applicants submit that one of ordinary skill in the art would understand this term to include any solid material to which a compound with formula (I) may be linked. In addition, the present application provides exemplary solid support (*see, e.g.*, page 28, lines 11-14).

As to the rejection related to the language “G is  $(XR_7)_n$ ” in claim 5, Applicants have replaced it with “G is  $-XR_7-$ .”

As to the rejection to claim 11, Applicants have amended this claim to depend on pending claim 5.

As to the rejection to claim 13, without acquiescing to this rejection, Applicants have canceled this claim.

In view of the above remarks, Applicants submit that this ground of rejection under 35 U.S.C. § 112, second paragraph, has been overcome. Applicants respectfully request that these rejections be withdrawn.

Application No. 10/803,179  
Reply to Office Action dated October 26, 2005

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Applicants believe that all of the claims remaining in the application are now allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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